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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application

PATENT APPLICATION

Inventors: David M. Hilbert; Jonathan Trevor

Appln. No.: 10/777,571

Confirm. No.: 6011

Filed: February 11, 2004

Title: EMAIL DISTRIBUTION SYSTEM AND METHOD

Art Unit: 2141

Examiner:

Customer No. 23910

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8

I hereby certify that this correspondence is being deposited in the United States Postal Service with sufficient postage as first class mail in an envelope addressed to **Mail Stop Amendment Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450**, on _____

February 7, 2005



(Attorney Signature)

Bryon T. Wasserman, Reg. No. 48,404

Signature Date: February 7, 2005

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. §1.56

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

It is requested that the information identified in this statement be considered by the Examiner and made of record in the above-identified application. This statement is not intended to represent that a search has been made or that the information cited in the statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56. If this is a continuation, divisional or continuation-in-part application, it is understood that the Examiner will consider all information which was considered by the Office in a parent application. MPEP §609. Such information therefore is not listed herein unless it is desired that the information be printed on a patent issuing from the subject application.

Enclosed with this statement are the following:

- ☒ Form PTO-1449. The Examiner is requested to initial the form and return it to the undersigned in accordance with M.P.E.P. §609.
- ☒ The present application is being/was filed after June 30, 2003. In accordance with the pre-official gazette waiver of 37 CFR 1.98 (a)(2)(i) posted at: pac/dapp/opla/preognotice/idswouscopies.htm, copies of cited U.S. patents and publications are not enclosed. However, copies of cited foreign patent documents and non-patent literature are enclosed in accordance with 37 CFR 1.98(a)(2), as still required, except for those items designated by an asterisk (*), which were previously submitted by the applicant in a parent application, from which benefit under 35 U.S.C. §120 is claimed, with an *Information Disclosure Statement* submitted in the parent application which complies with the September 8, 2000 or subsequent revision of 37 C.F.R. §1.98(a-c), as allowed under 37 C.F.R. §1.98(d)(1).

— The present application was filed prior to June 30, 2003. A copy of each cited document as required by 37 C.F.R. §1.98 is enclosed, except for those items designated by an asterisk (*), which were previously submitted by the applicant in a parent application, from which benefit under 35 U.S.C. §120 is claimed, with an *Information Disclosure Statement* submitted in the parent application which complies with the September 8, 2000 or subsequent revision of 37 C.F.R. §1.98(a-c), as allowed under 37 C.F.R. §1.98(d)(1).

— If any of the cited/submitted documents is in a foreign language, a concise explanation of relevance is provided pursuant to 37 C.F.R. §1.98(a)(3)(i). For foreign language documents cited in a search report by a foreign patent office, the requirement for a concise explanation of relevance is satisfied by the submission herewith of an English language version of the search report. MPEP §609A(3). If a written English-language translation of a non-English language document, or portion thereof, is within the possession, custody or control of, or is readily available to any individual designated in §1.56(c), a copy of the translation accompanies this statement, 37 C.F.R. §1.98(a)(3)(ii), and satisfies the requirement for a concise explanation of relevance, MPEP §609A(3).

— ***PTA Statement under 37 C.F.R. §1.704(d).*** Each item of information contained in the *Information Disclosure Statement* was cited in a communication from a foreign patent office in a counterpart application and this communication was not received by any individual designated in §1.56(c) more than thirty days prior to the filing of the *Information Disclosure Statement*.

This statement should be considered because:

✓ **37 C.F.R. §1.97(b).** This statement qualifies under 37 C.F.R. §1.97, subsection (b) because:

- (1) It is being filed within three months of the filing date of an application other than a continued prosecution application under § 1.53(d);
-- OR --
- (2) It is being filed within 3 months of entry of a national stage;
-- OR --
- (3) It is being filed before the mailing date of the first Office Action on the merits,
-- OR --
- (4) It is being filed before the mailing date of the first Office Action after the filing of a Request for Continued Examination under 37 C.F.R. §1.114.

— **37 C.F.R. §1.97(c).** Although it may not qualify under subsection (b), this statement qualifies under 37 C.F.R. §1.97, subsection (c) because:

- (1) It is being filed before the mailing date of a FINAL Office Action, a Notice of Allowance, or an action that otherwise closes prosecution in the subject application, whichever occurs first.

-- AND (check at least one of the following) --

- (1) It is accompanied by a STATEMENT as set forth in 37 C.F.R. §1.97(e).
-- OR --
- (2) It is accompanied by the \$180 fee set forth in 37 C.F.R. §1.17(p).

— **37 C.F.R. §1.97(d).** Although it may not qualify under subsection (b) or (c), this statement qualifies under 37 C.F.R. §1.97, subsection (d) because:

- (1) It is being filed on or before payment of the Issue Fee;
-- AND --
- (2) It is accompanied by a STATEMENT as set forth in 37 C.F.R. §1.97(e);
-- AND --
- (3) It is accompanied by the \$180 fee set forth in 37 C.F.R. §1.17(p).

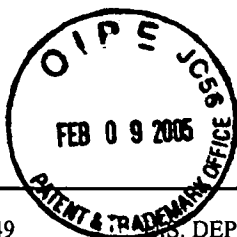
✓ **Fee Authorization.** The Commissioner is hereby authorized to charge any deficiencies or credit any overpayment to Deposit Account No. 06-1325. A duplicate copy of this authorization is enclosed.

Respectfully submitted,

FLIESLER MEYER LLP

Date: February 7, 2005 By: Bryon T. Wasserman
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Form PTO-1449 (Substitute)		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		Attorney Docket Number FX2016		Appln./Patent Number 10/777,571	
Information Disclosure Statement BY APPLICANT (Use several sheets if necessary)				Applicant/Patent Owner David Hilbert, et al.			
				Filing/Issue Date 02/11/2004		Group Art Unit 2141	
U.S. PATENTS							
Examiner Initial		Patent Number	Issue Date	First Named Inventor	Class	Subclass	Filing Date
/LL/	1.	6,144,997	11/07/2000	Lamming, et al.	709	217	11/28/98
U.S. PATENT PUBLICATIONS							
Examiner Initial		Patent Application Publication Number	Publication Date	Applicant			
/LL/	2.	200330088570	05/08/2003	Hilbert, et al.			
PENDING U.S. PATENT APPLICATIONS							
Examiner Initial		Application Number	Filing Date	First Named Inventor	Petition to Expunge? Yes No		
/LL/	3.	10/777,289	02/11/2004	David M. Hilbert, et al.		✓	
/LL/	4.	10/790,402	03/01/2004	David M. Hilbert, et al.		✓	
/LL/	5.	10/828,991	04/21/2004	David M. Hilbert, et al.		✓	
OTHER DOCUMENTS (Include author (if any), title, publisher and place of publication, date and pertinent pages)							
/LL/	6.	Cisco Systems, Inc., "Cisco VPN 3000 Series Concentrator," 02/05/2004 (downloaded from http://www.cisco.com/warp/public/779/largeent/learn/technologies/VPNs.html), pp. 1-9.					
	7.	FileWay, "FileWay™: A Secure, Web Based File Access Solution," white paper, 10/03/2003 (downloaded from http://www.fileway.com/), 10 pp.					
	8.	Fuji Xerox Co., Ltd., "Fuji Xerox Launches ArcSuite Web-Based Integrated Information Management System," 11/26/2002 (downloaded from http://www.fujixerox.co.jp/eng/headline/2002/1126_arcsuite.html), 3 pp.					
	9.	FusionOne, "BREW Wireless Internet Application - MightyBackup," 02/07/2004 (downloaded from http://www.fusionone.com/), 1 p.					
	10.	Halpern, Jason, et al., "SAFE VPN IPsec Virtual Private Networks in Depth," Cisco Systems, Inc., 09/08/2002 (downloaded from http://www.cisco.com/warp/public/779/largeent/learn/technologies/VPNs.html), pp. 1-96.					

